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30 THEODORE TRAPP and the putative class

31 **UNITED STATES DISTRICT COURT**

32 **DISTRICT OF NEVADA**

33 THEODORE TRAPP, on his own behalf and
34 on behalf of all others similarly situated,

35 Case No. 2:09-cv-00995

36 Plaintiff,

37 **[PROPOSED]**
38 **STIPULATED REQUEST TO STAY**
39 **PROCEEDINGS PENDING OUTCOME OF**
40 **SETTLEMENT DISCUSSIONS**
41 **(Second Request)**

42 v.
43
44 BIG POPPA'S, LLC, a Nevada limited liability
45 company d/b/a BADDA BING MEN'S CLUB;
46 SKY TOP VENDING, INC., a Nevada
47 Corporation d/b/a CAN CAN ROOM;

48 **Honorable Lloyd D. George**

49 **Magistrate Judge Peggy A. Leen**

1 LA FUENTE, INC., a Nevada corporation
2 d/b/a CHEETAH'S;
3 C.P. FOOD AND BEVERAGE, INC., a
Nevada corporation d/b/a CLUB PARADISE;
4 DÉJÀ VU SHOWGIRLS OF LAS VEGAS,
LLC, a Nevada limited liability company d/b/a
DÉJÀ VU SHOWGIRLS;
5 PALOMINO CLUB, INC., a Nevada
corporation d/b/a PALOMINO CLUB;
6 SHAC, LLC, a Nevada limited liability
company d/b/a SAPPHIRE;
7 K-KEL, INC., a Nevada corporation d/b/a
SPEARMINT RHINO;
8 D.2801 WESTWOOD, INC., a Nevada
corporation d/b/a TREASURES;
9 LITTLE DARLINGS OF LAS VEGAS, LLC,
a Nevada limited liability company d/b/a
LITTLE DARLINGS;
10 O.G. ELIADES, A.D., LLC, a Nevada limited
liability company d/b/a OLYMPIC
11 GARDENS;
12 LAS VEGAS ENTERTAINMENT, LLC, a
Nevada limited liability company d/b/a
LARRY FLYNT'S HUSTLER CLUB;
13 MICHAEL A. SALTMAN d/b/a MINXX;
RICK'S LAS VEGAS;
14 FRIAS MANAGEMENT, LLC, a Nevada
limited liability company d/b/a ACE CAB
COMPANY and A-NORTH LAS VEGAS
CAB;
15 WESTERN CAB COMPANY, a Nevada
corporation d/b/a WESTERN CAB
COMPANY and WESTERN LIMOUSINE;
16 NEVADA CHECKER CAB CORPORATION,
a Nevada corporation d/b/a CHECKER CAB
COMPANY;
17 NEVADA STAR CAB CORPORATION, a
Nevada corporation d/b/a STAR CAB
COMPANY;
18 NEVADA YELLOW CAB CORPORATION,
a Nevada corporation d/b/a YELLOW CAB
COMPANY;
19 LUCKY CAB COMPANY OF NEVADA, a
Nevada corporation d/b/a LUCKY TRANS;
20 SUN CAB, INC., a Nevada corporation d/b/a
NELLIS CAB COMPANY;
21 CLS NEVADA, LLC, a Nevada limited
liability company d/b/a CLS
22 TRANSPORTATION LAS VEGAS;
ON DEMAND SEDAN SERVICES, LLC, a
Nevada limited liability company d/b/a ODS
23 LIMOUSINE and ODS CHAUFFEURED
24 TRANSPORTATION;
BLS LIMOUSINE SERVICE OF LAS
25 VEGAS, INC., a Nevada corporation d/b/a
BLS LIMOUSINE SERVICE OF LAS

1 VEGAS;
2 DESERT CAB, INC., a Nevada corporation
3 d/b/a DESERT CAB COMPANY and
4 ODYSSEY LIMOUSINE;
5 BELL TRANS A NEVADA CORPORATION,
a Nevada corporation d/b/a BELL TRANS;
6 TONY CHONG, an individual; and
7 DOE EMPLOYEES 1-1000;

8
9 Defendants.
10

11 Plaintiff THEODORE TRAPP (“Plaintiff” or “Trapp”) and Defendants BIG POPPAS, LLC
12 d/b/a BADDA BING MEN’S CLUB and O.G. ELIADES, A.D., LLC d/b/a OLYMPIC GARDENS,
13 propose the following Stipulation and Proposed Order staying these proceedings for 60 days as to
14 those Defendants. In support, the Parties state as follows:

15 **WHEREAS**, on June 2, 2009, Plaintiff filed a four-count putative class action complaint (“the
16 Complaint”) against the Defendants alleging violations of Nevada’s Racketeering Statute;

17 **WHEREAS**, Plaintiff caused Defendant Big Poppas, LLC to be served with a copy of the
18 summons and complaint in this matter on or about June 8, 2009;

19 **WHEREAS**, Plaintiff caused Defendant O.G. Eliades, A.D., LLC to be served with a copy of
20 the summons and complaint in this matter on or about June 9, 2009.

21 **WHEREAS**, by Stipulation filed July 9, 2009, the Parties agreed, subject to the approval of
22 this Court, to enlarge the time for Defendants Big Poppas, LLC and O.G. Eliades, A.D., LLC to
23 answer or otherwise plead to the Complaint until August 3, 2009.

24 **WHEREAS**, by Stipulation filed July 30, 2009, the Parties agreed, subject to the approval of
25 this Court, to stay the proceedings pending an outcome of Settlement Discussions for Defendants Big
26 Poppas, LLC and O.G. Eliades, A.D., LLC until October 30, 2009.

27 **WHEREAS**, Plaintiff and Defendants Big Poppas, LLC and O.G. Eliades, A.D., LLC, seek
28 entry of an Order staying these proceedings for an additional sixty days as to those Defendants to
enable the Parties to continue to focus their efforts on settlement discussions in the hopes of bringing
an early resolution to this matter;

29 **WHEREAS**, Defendants Big Poppas, LLC and O.G. Eliades, A.D., LLC deny the material
30 allegations of the Complaint, deny they committed any wrongdoing, and deny any liability to Plaintiff
31 or the putative class of individuals that he purports to represent;

WHEREAS, taking into account the burdens and expense of protracted litigation, including the risks and uncertainties associated with class certification, protracted trials, and appeals, the Parties have decided to engage in settlement discussions to determine whether a speedy and efficient resolution to this case may be achieved;

NOW THEREFORE, the Parties hereby **STIPULATE** and **AGREE** as follows:

1. These proceedings are hereby stayed for sixty (60) days through and including December 29, 2009, as to Defendants Big Poppas, LLC and O.G. Eliades, A.D., LLC.

IT IS SO STIPULATED.

Dated this 30th day of October, 2009

THEODORE TRAPP, individually and on
behalf of all others similarly situated

BIG POPPAS, LLC d/b/a BADDA BING MEN'S CLUB, a Nevada limited liability company, and O.G. ELIADES, A.D., LLC d/b/a OLYMPIC GARDENS

By: /s/ Rafey Balabanian
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Attorneys for Plaintiff
THEODORE TRAPP and the putative class

Attorneys for Defendants
BIG POPPAS, LLC & O.G. ELIADES, A.D., LLC

Dated this day of , 2009

LLOYD D. GEORGE
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that on the 30th day of October, 2009, the **PROPOSED**]
STIPULATED REQUEST TO STAY PROCEEDINGS PENDING OUTCOME OF SETTLEMENT
DISCUSSION (Second Request) was electronically served upon all attorneys of record in this matter.

BY: _____ /s/ _____

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